

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

SHAWN RICHARD COUDRIET,)	
)	
Plaintiff,)	
)	Civil Action No. 11-185 Erie
v.)	
)	
ANTHONY VARDARO, et al.,)	
)	
Defendants.)	

MEMORANDUM ORDER

This civil rights action was received by the Clerk of Court on September 1, 2011 and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Magistrate Judge's Report and Recommendation [ECF No. 151], filed on October 12, 2012, recommended that the Motion to Dismiss filed by Defendants Alizzeo, Lewis, DiGiacomo and Schultz [ECF No. 44] be granted. The parties were allowed fourteen (14) days from the date of service to file objections and Plaintiff filed objections on October 29, 2012 [ECF No. 155] with respect to the dismissal of Defendants Alizzeo, DiGiacomo and Schultz, but conceded that dismissal is appropriate with respect to Defendant Lewis. [ECF No. 155] pp. 7-8. After de novo review of the documents in the case, together with the Report and Recommendation and objections thereto, the following order is entered:

AND NOW, this 30th day of November, 2012;

IT IS HEREBY ORDERED that the Motion to Dismiss filed by Defendants Alizzeo, Lewis, DiGiacomo and Schultz [ECF No. 44] is GRANTED.

The Report and Recommendation of Magistrate Judge Baxter, filed on October 12, 2012 [ECF No. 151] is adopted as the opinion of the Court.

The Clerk of Courts is directed to terminate these Defendants from the docket.

s/ Sean J. McLaughlin
United States District Judge

cm: All parties of record
Susan Paradise Baxter, U.S. Magistrate Judge